

AMENDED IN SENATE AUGUST 20, 2010

AMENDED IN SENATE AUGUST 2, 2010

AMENDED IN ASSEMBLY MAY 5, 2010

AMENDED IN ASSEMBLY APRIL 6, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 2018**

**Introduced by Assembly Member Skinner  
(Coauthor: Assembly Member Adams)**

February 17, 2010

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An act to add Section 11053.2 to the Welfare and Institutions Code, relating to public social services.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2018, as amended, Skinner. Food stamps: intercounty transfer of benefits.

Existing law provides for the federal Supplemental Nutritional Assistance Program (SNAP), formerly the Food Stamp Program, under which food stamps are allocated to the state by the federal government and are distributed to eligible households by each county.

Existing law provides for the intercounty transfer (ICT) of benefits for recipients of CalWORKs, In-Home Supportive Services (IHSS), or Medi-Cal benefits that move from one county to another within the state, as prescribed.

This bill would require the State Department of Social Services to establish a process of intercounty transfer of eligibility for benefits under SNAP when a recipient moves from one county to another within the state. This bill would specify ~~that~~, commencing no later than April

1, 2011,~~that~~ for recipients of SNAP benefits who are also recipients of CalWORKs benefits, the ICT process utilized for CalWORKs shall be used. This bill would further specify ~~that~~, commencing no later than April 1, 2011,~~that~~ for recipients of SNAP benefits who are also recipients of Medi-Cal benefits, but not recipients of CalWORKs, the ICT process utilized for Medi-Cal shall be used.

This bill would require ~~that~~, commencing no later than July 1, 2011, ~~that~~ for recipients of SNAP benefits who are neither recipients of CalWORKs nor Medi-Cal benefits, an intercounty transfer process be developed, as specified. This bill would specify that *upon implementation of the intercounty transfer procedures set forth in the bill*, it is the responsibility of the recipient changing residence from one county to another within the state to notify the county currently paying food stamp benefits of the move ~~and to apply for redetermination of eligibility within the new county of residence~~. This bill would require the recipient's ~~old~~ *prior* county of residence to notify the new county of residence of the recipient's move as soon as the recipient's location in the new county is known. It would require the new county of residence to be responsible for determining the recipient's continued eligibility for benefits under SNAP, but that, to the extent permitted by federal law, the new county of residence would not be required to interview persons in the food stamp household to determine continued eligibility, *until the next scheduled recertification or other regularly scheduled interview*.

~~It would, however, require that, if an applicant or recipient of food stamp benefits has an application, quarterly or semiannual report, or renewal pending in the old county of residence at the time the applicant or recipient moves to the new county, the old county of residence shall process the application, quarterly or semiannual report, or renewal prior to transferring the case to the new county.~~

*This bill would require the department to adopt regulations to implement the bill no later than July 1, 2012, as specified.*

To the extent that this would increase the duties of county officials who administer public aid programs, including the Medi-Cal program, CalWORKs, and the federal SNAP program, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 11053.2 is added to the Welfare and*  
2     *Institutions Code, to read:*

3     *11053.2. (a) Notwithstanding any other law, the department*  
4     *shall establish a process of intercounty transfer of eligibility for*  
5     *food stamp benefits provided under Chapter 10 (commencing with*  
6     *Section 18900) of Part 6 when a recipient changes residence from*  
7     *one county to another within the state. The intercounty transfer*  
8     *process shall facilitate a recipient's move from one county to*  
9     *another without a break in benefits and without requiring a new*  
10    *application to be submitted to the new county of residence.*

11    *(b) (1) For food stamp recipients who are receiving CalWORKs*  
12    *benefits pursuant to Chapter 2 (commencing with Section 11200),*  
13    *the intercounty transfer process utilized for CalWORKs shall be*  
14    *used.*

15    *(2) For food stamp recipients who are receiving Medi-Cal*  
16    *benefits pursuant to Chapter 7 (commencing with Section 14000),*  
17    *but are not receiving CalWORKs benefits pursuant to Chapter 2*  
18    *(commencing with Section 11200), the intercounty transfer process*  
19    *utilized for the Medi-Cal program shall be used.*

20    *(3) This subdivision shall be implemented no later than April*  
21    *1, 2011.*

22    *(c) For food stamp recipients who are not receiving CalWORKs*  
23    *or Medi-Cal benefits as described in paragraphs (1) and (2) of*  
24    *subdivision (b), an intercounty transfer process shall be developed,*  
25    *in consultation with representatives of county human services*  
26    *departments and advocates for recipients. To the greatest extent*  
27    *possible, the process shall be simple, client friendly, ensure the*  
28    *client does not need to provide copies of documents that were*  
29    *previously provided to the prior county of residence, build on*  
30    *existing processes for the programs described in paragraphs (1)*  
31    *and (2) of subdivision (b), and minimize workload for county*

1 eligibility operations. The process developed pursuant to this  
2 subdivision shall be implemented no later than July 1, 2011.

3 (d) Upon the implementation of the intercounty transfer  
4 procedures set forth in this section, it shall be the responsibility  
5 of a recipient changing residence from one county to another  
6 within the state to notify his or her prior county of residence of  
7 his or her move. The prior county of residence shall notify the new  
8 county of the recipient's move as soon as the recipient's location  
9 in the new county is known. The new county of residence shall be  
10 responsible for determining the recipient's continued eligibility  
11 for payment of food stamp benefits. To the extent permitted by  
12 federal law, the new county of residence shall not be required to  
13 interview persons in the food stamp household to determine  
14 continued eligibility until the next scheduled recertification or  
15 other regularly scheduled interview.

16 (e) Notwithstanding the Administrative Procedure Act (Chapter  
17 3.5 (commencing with Section 11340) of Part 1 of Division 3 of  
18 Title 2 of the Government Code), the department may implement  
19 this section through all-county letters, or similar instructions from  
20 the director no later than April 1, 2011, with respect to subdivision  
21 (b), and no later than July 1, 2011, with respect to subdivision (c).

22 (f) The department shall adopt regulations as otherwise  
23 necessary to implement this section no later than July 1, 2012.  
24 Emergency regulations adopted for implementation of this section  
25 may be adopted by the director in accordance with the  
26 Administrative Procedure Act (Chapter 3.5 (commencing with  
27 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
28 Code). The adoption of emergency regulations shall be deemed to  
29 be an emergency and necessary for immediate preservation of the  
30 public peace, health and safety, or general welfare. The emergency  
31 regulations shall be exempt from review by the Office of  
32 Administrative Law. The emergency regulations authorized by this  
33 section shall be submitted to the Office of Administrative Law for  
34 filing with the Secretary of State and shall remain in effect for no  
35 more than 180 days.

36 ~~SECTION 1. Section 11053.2 is added to the Welfare and~~  
37 ~~Institutions Code, to read:~~

38 ~~11053.2. (a) Notwithstanding any other law, the department~~  
39 ~~shall establish a process of intercounty transfer of eligibility for~~  
40 ~~food stamp benefits provided under Chapter 10 (commencing with~~

1 Section 18900) of Part 6 when a recipient moves from one county  
2 to another within the state. The intercounty transfer process shall  
3 facilitate a recipient's move from one county to another without  
4 a break in benefits and without requiring a new application to be  
5 submitted to the new county of residence.

6 ~~(b) For recipients who are receiving CalWORKs benefits~~  
7 ~~pursuant to Chapter 2 (commencing with Section 11200), the~~  
8 ~~intercounty transfer process utilized for CalWORKs shall be used.~~  
9 ~~This subdivision shall be implemented no later than April 1, 2011.~~

10 ~~(c) For recipients who are receiving Medi-Cal benefits pursuant~~  
11 ~~to Chapter 7 (commencing with Section 14000), but are not~~  
12 ~~receiving CalWORKs benefits pursuant to Chapter 2 (commencing~~  
13 ~~with Section 11200), the intercounty transfer process utilized for~~  
14 ~~the Medi-Cal program shall be used. This subdivision shall be~~  
15 ~~implemented no later than April 1, 2011.~~

16 ~~(d) For recipients who are not receiving CalWORKs or Medi-Cal~~  
17 ~~benefits as described in subdivisions (b) and (c), an intercounty~~  
18 ~~transfer process shall be developed, in consultation with~~  
19 ~~representatives of county human services departments and~~  
20 ~~advocates for recipients. To the greatest extent possible, the process~~  
21 ~~shall be simple, client friendly, ensure the client does not need to~~  
22 ~~provide copies of documents that were previously provided to the~~  
23 ~~old county of residence, build on existing processes for the~~  
24 ~~programs described in subdivisions (b) and (c), and minimize~~  
25 ~~workload for county eligibility operations. The process developed~~  
26 ~~pursuant to this subdivision shall be implemented no later than~~  
27 ~~July 1, 2011.~~

28 ~~(e) Upon the implementation of the intercounty transfer~~  
29 ~~procedures set forth in this section, it shall be the responsibility of~~  
30 ~~a recipient changing residence from one county to another within~~  
31 ~~the state to notify the county currently paying food stamp benefits~~  
32 ~~of the move and to apply for a redetermination of eligibility within~~  
33 ~~the new county of residence. The old county of residence shall~~  
34 ~~notify the new county of the recipient's move as soon as the~~  
35 ~~recipient's location in the new county is known. The new county~~  
36 ~~of residence shall be responsible for determining the recipient's~~  
37 ~~continued eligibility for payment of food stamp benefits. To the~~  
38 ~~extent permitted by federal law, the new county of residence shall~~  
39 ~~not be required to interview persons in the food stamp household~~  
40 ~~to determine continued eligibility.~~

1     ~~(f) Notwithstanding subdivision (e), if an applicant or recipient~~  
2     ~~of food stamp benefits has an application, quarterly or semiannual~~  
3     ~~report, or renewal pending in the old county of residence at the~~  
4     ~~time the applicant or recipient moves to the new county, the old~~  
5     ~~county of residence shall process the application, quarterly or~~  
6     ~~semiannual report, or renewal prior to transferring the case to the~~  
7     ~~new county.~~

8     ~~(g) The department shall implement this section by all-county~~  
9     ~~letters or similar instructions from the director and shall adopt~~  
10    ~~regulations as otherwise necessary to implement this section no~~  
11    ~~later than July 1, 2012.~~

12    SEC. 2. If the Commission on State Mandates determines that  
13    this act contains costs mandated by the state, reimbursement to  
14    local agencies and school districts for those costs shall be made  
15    pursuant to Part 7 (commencing with Section 17500) of Division  
16    4 of Title 2 of the Government Code.